

Carter Carburetors  
MO000882601  
10-6



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION VII  
726 MINNESOTA AVENUE  
KANSAS CITY, KANSAS 66101

IN THE MATTER OF  
HUBERT THOMPSON

Respondent

TSCA Docket No. VII-87-T-719

CONSENT AGREEMENT  
AND  
FINAL ORDER

PRELIMINARY STATEMENT

This proceeding for the assessment of civil penalties was initiated pursuant to § 16(a) of the Toxic Substances Control Act (hereinafter TSCA), 15 U.S.C. § 2615, as amended. The Complainant in this proceeding issued a Complaint and Notice of Opportunity for Hearing to Respondent, charging violation of certain regulations governing the manufacture, processing, distribution in commerce, use, disposal, storage and marking of polychlorinated biphenyls (PCBs), promulgated at 40 C.F.R. Part 761, pursuant to Section 6(e) of TSCA.

For purposes of this proceeding, Respondent does by this Consent Agreement and Final Order, admit the jurisdictional allegations of the Complaint and neither admits nor denies the allegations set forth in Counts 1 through 3 of the Complaint.

Respondent hereby explicitly waives its right to a judicial or administrative hearing on any issue consented to herein.



S00072985  
SUPERFUND RECORDS

CE  
This is the case  
about a few transformers  
I will notify you when written  
notification is received  
Dug

Complainant, upon receipt of written notification from Respondent, that the PCB transformers subject to the Final Order below have been removed from Respondent's warehouse, will inspect said facility to confirm (a) the that the actual removal of all PCB transformers has been completed; (b) that no PCB spills occurred during said removal; and (c) that the violations alleged in the Complaint have been corrected.

For purposes of this proceeding only, Respondent consents to the issuance of the Order hereinafter recited, and consents to the payment of a civil penalty in the amount hereinafter recited.

FINAL ORDER

1. Respondent shall dispose in accordance with applicable regulations, the PCB transformers currently located at Respondent's warehouse at 2810 North Spring Street, St. Louis, Missouri, within ninety (90) days of the date of issuance of this Final Order. ✓

2. Respondent shall submit to EPA, copies of the certificates of disposal, within fifteen days of the date of disposal above.

3. Respondent shall pay a civil penalty of two thousand Dollars (\$2,000) in two payments of one thousand dollars \$(1,000) each. The first payment of one thousand dollars shall be due and payable within thirty (30) days of the date of issuance of this Final Order. The second payment

of one thousand dollars (\$1,000) shall be due and payable within one hundred and eighty (180) days of the date of issuance of this Final Order.

4. Payments shall be by cashier's or certified check made payable to the United States Treasury. The checks shall be mailed to EPA-Region 7 (Regional Hearing Clerk) P.O. Box 360748M, Pittsburgh, PA 15251.

5. The signed Consent Agreement shall be mailed to the Regional Hearing Clerk, U.S. EPA, 726 Minnesota Avenue, Kansas City, Kansas 66101.

6. Failure to pay the civil penalty will result in commencement of a civil action in Federal District Court to recover the amount due, along with accumulated interest at the rate of six percent (6%) per annum.

**RESPONDENT**

**HUBERT THOMPSON**

By Hubert L. Thompson

Date 6/28/88

**COMPLAINANT**


**U.S. ENVIRONMENTAL PROTECTION  
AGENCY**

By Henry F. Rompage

Henry F. Rompage, Attorney  
Office of Regional Counsel

Date 6-14-88

IT IS SO ORDERED. This Final Order shall become effective immediately.

  
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Morris Kay  
Regional Administrator, Region VII  
Date 7-5-88